Subj: POSNER WARNS OF LIBEL Section: Sysop Section [0]
From: Gerald Posner 73700,2626 # 6441, 2 Replies
To: ALL Date: 17-Oct-93 22:51

I have just picked up my CS messages for the first time in ten days, and although many of the "criticisms" directed against CASE CLOSED during the past six weeks have gone beyond the pale of legitimate debate and discussion, none have been so misleading and potentially actionable, from a legal standing, as those made by David Scheim, regarding my use of some quotations from personal interviews with former Dallas entertainment reporter, Tony Zoppi. I will not be near a computer for another nine days, so I will not be able to further respond until the end of the month, but I wanted to post this note immediately for two purposes.

1) I intend this note to serve as immediate notice to Mr. Scheim that I am turning over copies of his correspondence on the forum, as well as the press release created at his direction, to independent counsel, to determine whether his inflammatory language that characterizes my work as "journalistic fraud" and/or "journalistic misconduct" constitute libel. Mr. Scheim's analogies to instances at the Washington Post, where an article was fabricated, is further evidence of his intent to scurrilously attack my work. As an attorney myself, I can assure you that I shall not allow someone like Mr. Scheim, who is so cavalier with facts, to damage my professional reputation with his actionable language.

2) I only have a chance to summarize some brief points here, but basically Mr. Scheim is furious with Tony Zoppi and my use of him because Zoppi contradicts the very heart of Scheim's work. As with any serious historical work, the writer/researcher must make his own judgments as to the credibility of a witness. In many instances, a person may be truthful in some of what they say, and not in other instances. It is the duty of a good researcher to carefully examine a person's credibility across the board. Many of the witnesses in the assassination present the same problem, from Lee Oswald, Jack Ruby, Marina Oswald, Delphine Roberts, etc, etc. In CASE CLOSED, I have

[continued in the reply]

Subj: POSNER WARNS OF LIBEL Section: Sysop Section [0]
From: Gerald Posner 73700,2626 # 6442, 1 Reply
To: Gerald Posner 73700,2626 Date: 17-Oct-93 22:51

[continued from message number 6441]

carefully examined each of the nearly 200 persons I interviewed, and cross-checked the information I received against available documents and other interviews. I never printed something just because someone told me. I omitted information and interviews which supported the final conclusions of my book if I did not consider them absolutely reliable. In the final analysis, the reader must trust my professional analysis and reading of the witnesses I have interviewed, and the material I include from those interviews in the book.

It is critical to note that I have no doubt about the complete accuracy and veracity of the statements to which Zoppi comments in the book. All he says is that Ruby was a real low level loser, had a terrible temper, and not a person the mob would ever trust. If Scheim is correct (and you should note that his information about Zoppi and organized crime is one built, at best, by guilt by association and insinuation) then Zoppi is even in a better position to draw his conclusions since he would have known both Ruby and the Dallas mobsters.

Moreover, while I consider Tony Zoppi's insights into Ruby to be good additions to the record, Zoppi is a very minor part of my overall work on Ruby. To say that the very heart of CASE CLOSED is tarnished because I quote Zoppi is preposterous, and shows the panicked overreaching that Scheim, Wecht, and others are apt to do. The very same points as those made by Zoppi are also made in my book by many of Ruby's employees, assistant district attorney William Alexander, and Ruby's brother, Earl. Mr. Scheim wants to ignore the people who really knew Ruby best, and instead rely on unsubstantiated raw intelligence in government files, material that is notoriously unreliable. CASE CLOSED has one of the most detailed presentations ever of Ruby's actions over the assassination weekend, and uses numerous sources not only for that period, but also in investigation of Ruby's biography. Remove Mr. Zoppi's

[continued in the reply]

Subj: POSNER WARNS OF LIBEL Section: Sysop Section [0]
From: Gerald Posner 73700,2626 # 6443, * No Replies *
To: Gerald Posner 73700,2626 Date: 17-Oct-93 22:51

[continued from message number 6442]

comments from my book, and any reader would still reach the same conclusion that is now drawn - the overwhelming evidence is that Jack Ruby, for his own warped and personal motivation, killed Lee Oswald. Ruby's mob and/or police contacts have nothing to do with his murder of Oswald. That Mr. Scheim wishes it was otherwise will not change the facts.

I am actually rather surprised that the greatest argument Mr. Scheim, a leading expert on the Ruby-mob conspiracy theory, could develop against CASE CLOSED was that he was angry I had quoted Zoppi. Mr. Scheim has failed completely, as have the other major critics, to attack and invalidate the core of my book. The central thesis stands despite the attempt of hundreds of researchers to find flaws in the book. I know of no other book that has been subjected to such a meticulous analysis, and still the critics' arguments are often reduced to those as silly as this Zoppi issue. Mr Scheim is simply going to have to learn to live with the Zoppi comments because in the final analysis they are true, and as such, have a valid place in the historical record.

I was rigorous and consistent in selecting information contained in my interviews with Tony Zoppi. I resent any insinuation to the contrary, and certainly will do everything in my power to vindicate my legal rights if they have been trampled by Mr. Scheim's contentious and careless use of language.

Gerald Posner